



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNIVERSAL LEAF TOBACCO CO.,  
Plaintiff,

-against-

07 Civ. 8391 (DAB)  
ORDER

M/V MSC WASHINGTON, her tackle, boilers,  
engines, etc., COSTAMARE SHIPPING CO. S.A.,  
HONAKER SHIPPING CO.,  
Defendants.

-----X  
M/V MSC WASHINGTON, her tackle, boilers,  
engines, etc., COSTAMARE SHIPPING CO. S.A.,  
HONAKER SHIPPING CO.,  
Third-Party Plaintiffs,

-against-

CERES TERMINALS INCORPORATED, CERES  
MARINE TERMINALS, INC., VIRGINIA  
INTERNATIONAL TERMINALS, INC.,  
Defendants.

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DEBORAH A. BATTS, United States District Judge.

On September 27, 2007, Plaintiff filed its Complaint in the above-captioned action. On December 11, 2007 Defendants Answered. On December 19, 2007, Defendants M/V MSC WASHINGTON, COSTAMARE SHIPPING CO. S.A., HONAKER SHIPPING CO., filed a Third-Party Complaint against CERES TERMINALS INC., CERES MARINE TERMINALS, INC., and VIRGINIA INTERNATIONAL TERMINALS, INC. ("Third-Party Defendants").

As of the date of this ORDER the Court has no record of service of the Third-Party Complaint. Accordingly,

Defendants/Third-Party Plaintiffs SHALL FILE file proof of service within thirty days of the date of this Order. In addition, Defendants/Third-Party Plaintiffs are hereby ORDERED TO SHOW CAUSE within thirty days of filing its proofs of service why their Third-Party Complaint should not be denied for failure to prosecute. See Lyell Theatre Corp. v. Loews Corp., 682 F.2d 37, 42 (2d Cir. 1982) (holding that a district court's authority to dismiss an action for plaintiff's failure to prosecute "cannot seriously be doubted"). Third-Party Plaintiffs' showing of good cause, if any, shall be made by affidavit.

SO ORDERED.

Dated: New York, New York

March 6, 2008

A handwritten signature in black ink, reading "Deborah A. Batts". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Deborah A. Batts  
United States District Judge